

ORDINANCE NO. 98 - 40

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **COUNTY INITIATED AMENDMENT 98-103 COM 1 (LINTON RESIDUAL)**, MODIFYING PAGE 103 OF THE FLUA BY CHANGING 2 PARCELS TOTALING 14.58 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF LINTON BOULEVARD, APPROXIMATELY 600 FEET EAST OF JOG ROAD FROM MEDIUM RESIDENTIAL 5 (MR-5) TO COMMERCIAL LOW OFFICE WITH UNDERLYING DENSITY OF EIGHT UNITS PER ACRE (CL-O/8); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on February 13, 20 and 27, 1998 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on March 30, 1998 to review the recommendations of the Local Planning Agency, whereupon

1 the Board of County Commissioners authorized transmittal of proposed
2 amendments to the Department of Community Affairs for review and
3 comment pursuant to Chapter 163, Part II, Florida Statutes; and

4 **WHEREAS**, Palm Beach County received on June 16, 1998, the
5 Department of Community Affairs "Objections, Recommendations, and
6 Comments Report," dated June 12, 1998, which was the Department's
7 written review of the proposed Comprehensive Plan amendments; and

8 **WHEREAS**, on September 16, 1998, the Palm Beach County Board of
9 County Commissioners held a public hearing to review the written
10 comments submitted by the Department of Community Affairs and to
11 consider adoption of the amendments; and

12 **WHEREAS**, the Palm Beach County Board of County Commissioners has
13 determined that the amendments as modified satisfy the concerns
14 addressed in the Department of Community Affairs' "Objections,
15 Recommendations and Comments Report" and comply with all requirements
16 of the Local Government Comprehensive Planning and Land Development
17 Regulations Act.

18 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
19 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

20 **Part I. Amendments to the Future Land Use Atlas of the Land Use**
21 **Element of the 1989 Comprehensive Plan**

22 The following amendment to the Land Use Element's Future Land Use
23 Atlas is hereby adopted and is attached to this Ordinance:

24 **A. Future Land Use Atlas page 103 is amended as follows:**

25 **Application No.:** 98-103 COM 1 (Linton Residual)

26 **Amendment:** From Medium Residential 5 (MR-5) to
27 Commercial Low Office with underlying 8
28 units per acre (CL-O/8);

29 **General Location:** South side of Linton Boulevard,
30 approximately 600 feet east of Jog Road;

31 **Size:** 14.58 acres.

1 **B. Conditions:** This parcel is subject to the following
2 condition:

- 3 1. At the time the parcel is rezoned, the property owner
4 will provide cross-access with the adjacent, Linton
5 Medical Center property (97-SCA 103 COM 1) (PCN.00-42-
6 46-27-00-000-1130).

7 **Part II. Repeal of Laws in Conflict**

8 All local laws and ordinances applying to the unincorporated area
9 of Palm Beach County in conflict with any provision of this ordinance
10 are hereby repealed to the extent of such conflict.

11 **Part III. Severability**

12 If any section, paragraph, sentence, clause, phrase, or word of
13 this Ordinance is for any reason held by the Court to be
14 unconstitutional, inoperative or void, such holding shall not affect
15 the remainder of this Ordinance.

16 **Part IV. Inclusion in the 1989 Comprehensive Plan**

17 The provision of this Ordinance shall become and be made a part
18 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
19 Ordinance may be renumbered or relettered to accomplish such, and the
20 word "ordinance" may be changed to "section," "article," or any other
21 appropriate word.

22 **Part V. Effective Date**

23 The effective date of this plan amendment shall be the date a
24 final order is issued by the Department of Community Affairs or
25 Administration Commission finding the amendment in compliance in

1 accordance with Section 163.3184, Florida Statutes, whichever occurs
2 earlier. No development orders, development permits, or land uses
3 dependent on this amendment may be issued or commence before it has
4 become effective. If a final order of noncompliance is issued by the
5 Administration Commission, this amendment may nevertheless be made
6 effective by adoption of a resolution affirming its effective status,
7 a copy of which resolutions shall be sent to the Department of
8 Community Affairs, Bureau of Local Planning, 2740 Centerview Drive,
9 Tallahassee, Florida 32399-2100. **APPROVED AND ADOPTED** by the Board
10 of County Commissioners of Palm Beach County, on the 16 day of
11 September, 1998.

12 ATTEST:
13 DOROTHY H. WILKEN, Clerk

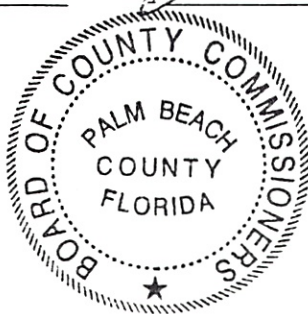
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

14 By: Joan H. Wilken
15 Deputy Clerk

By: [Signature]
Chair

16 APPROVED AS TO FORM AND
17 LEGAL SUFFICIENCY

18 [Signature]
19 COUNTY ATTORNEY



20 Filed with the Department of State on the 28th day
21 of September, 1998.

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23

EXHIBIT 1

A. Future Land Use Atlas page 103 is amended as follows:

Amendment No.: 98-103 COM 1 (LINTON RESIDUAL)

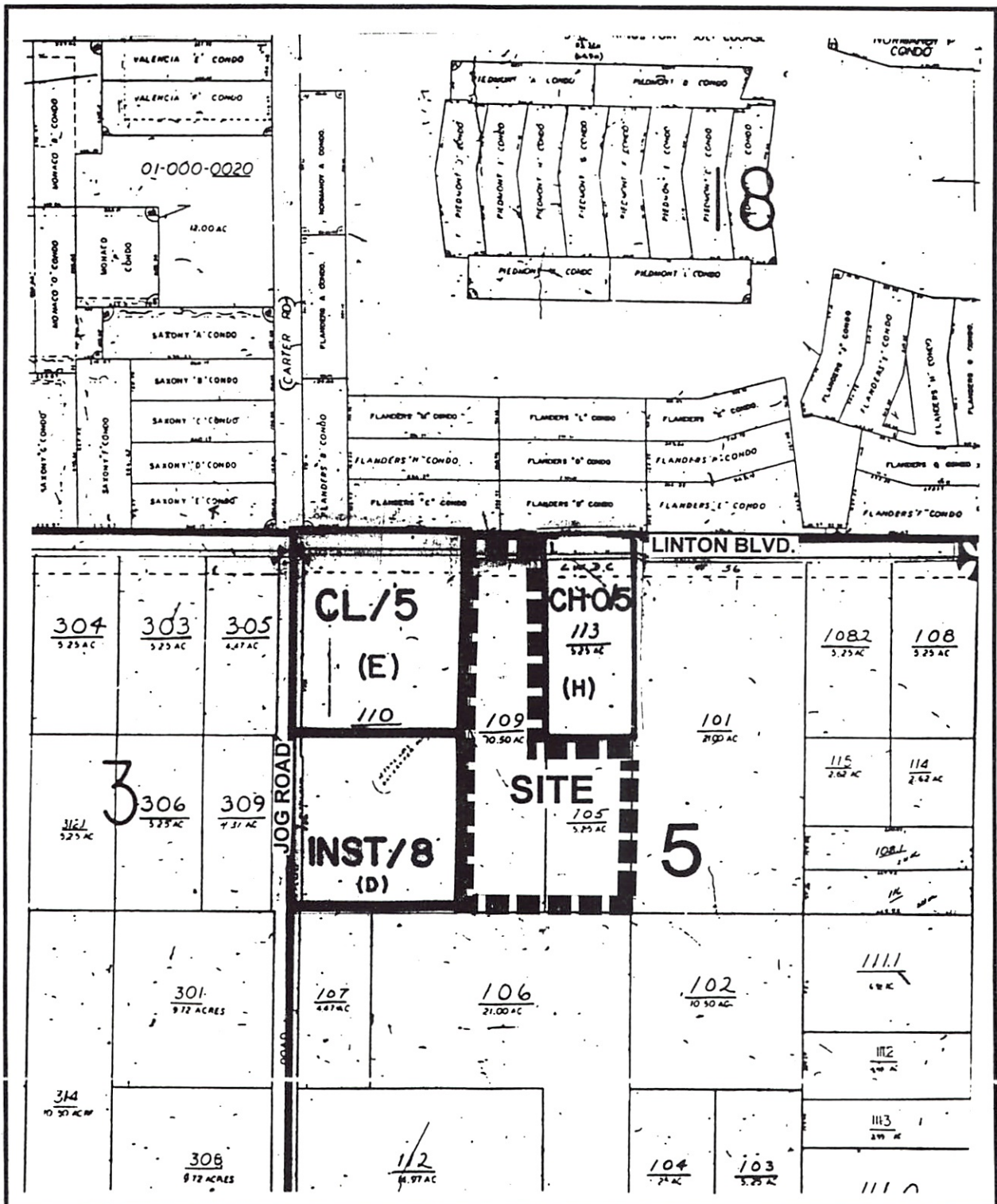
Location: South side of Linton Boulevard, approximately 600 feet east of Jog Road

Size: 14.58 acres

Original FLU: Medium Residential, 5 units per acre (MR-5)

Adopted FLU: Commercial Low - Office, with an underlying 8 units per acre (CL-O/8)

Property No.: 00-42-46-27-00-000-1050
00-42-46-27-00-000-1090



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FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

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| COUNTY: (<u>Palm Beach</u>) | COUNTY ORDINANCE # (<u>98-40</u>) <small>(e.g., 82-001)</small> |
| PRIMARY KEYFIELD DESCRIPTOR: (<u>Comprehensive Planning</u>) | |
| SECONDARY KEYFIELD DESCRIPTOR: (<u>Land Use Planning</u>) | |
| OTHER KEYFIELD DESCRIPTOR: (_____) | |
| ORDINANCE DESCRIPTION: (<u>Land use MAP Amendment</u>) <small>(25 characters maximum including spaces)</small> | |
| ORDINANCES AMENDED: <small>(List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)</small> | |
| AMENDMENT # 1: (<u>89-17</u>); AMENDMENT # 2: (_____) | |
| ORDINANCES REPEALED: <small>(List below the ordinances that are repealed by this legislation.)</small> | |
| REPEAL # 1: (_____); REPEAL # 3: (_____); | |
| REPEAL # 2: (_____); REPEAL # 4: (_____); | |
| <small>(Others repealed: list all that apply):</small> _____ | |

| | |
|----------------------------|-----------------------------|
| (FOR OFFICE USE ONLY): | COUNTY CODE NUMBER: (_ _) |
| KEYFIELD 1 CODE: (_____) | KEYFIELD 2 CODE: (_____) |
| KEYFIELD 3 CODE: (_____) | <small>Rev. 1/29/88</small> |